

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12671 of Brown Memorial A.M.E. Church, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the percentage of lot occupancy (Sub-section 3303.1), closed court (Sub-section 3306.1) and off-street parking requirements (Sub-section 7202.1) to permit a three story rear addition to a church in the R-4 District at the premises 130 14th St. N.E., (Square 1034, Lots 817, 82, 83, 96 and 97).

HEARING DATE: June 21, 1978

DECISION DATE: August 2, 1978

FINDINGS OF FACT:

1. The church is located on a triangular lot formed at the intersection of 14th Street, N.E., North Carolina Avenue, N.E. and Constitution Avenue, N.E., at 130 14th St., N.E.

2. The Brown Memorial Church occupies lot 817 which is at the eastern most end of the square and is approximately 5,700 square feet in area. Lots 82, 83, 96 and 97 are adjacent to the rear of the existing church. The total land area of these four lots is approximately 2,925 square feet.

3. Lots 82 and 83 front on Constitution Avenue and Lots 96 and 97 front on North Carolina Avenue. All lots are improved with row dwellings that are vacant at this time.

4. Adjacent to the church properties to the west are row dwellings. A small three story apartment building is located on the north east corner of 14th Street and Constitution Avenue, N.E. The predominant housing type throughout this area is row dwellings.

5. The applicant proposes to expand its facilities to the four adjacent lots to the rear of the church.

6. The addition will be two stories high along North Carolina Avenue and three stories high along Constitution Avenue. Both heights are in keeping with the heights of adjacent row dwellings.

7. As proposed the new addition will add some 2,948 square feet of floor area to the church's facilities. The addition will include classroom space, day care facilities, church offices, a kitchen and a caretaker's apartment.

8. The applicant has submitted two alternative plans for the addition. One alternative proposes the restoration of existing facades. The other alternative contemplates more extensive new construction but a style and design which is in keeping with the character of the surrounding area.

9. The applicant requests a variance from the lot occupancy requirement of the R-4 District to accommodate the proposed addition. A variance in the amount of nineteen percent is requested. This variance results from the need to fill in a portion of what had been the rear yards of the dwellings, in order to physically integrate the addition with the existing buildings.

10. The applicant requests a variance from the closed court requirements of the Zoning Regulations regarding its width and minimum area. The closed court results from the shape of the proposed addition, which has been designed to harmonize with adjacent houses and follow the footprint of the existing rowhouses, and the relationship to the lot lines of the triangular lot.

11. The applicant requests a variance from the parking requirements caused by the inclusion of a caretaker's apartment in the proposed addition. One space would be required, and none is proposed to be provided. Because of the

absence of an alley and the shape of the property, there is no available location for parking.

12. The property is contained within the Capitol Hill Historic District, which is listed on the National Register of Historic Places. The design of the building which incorporates the retention of the facades along Constitution Avenue would be in keeping with the character of the area and would support the public good.

13. At the Board's Public Meeting held on July 5, 1978, the Board deferred decision on the application. The Board was unable to determine from the record which of the two plans, the restoration of the existing row facades or new construction in keeping with the surrounding neighborhood which involved the demolition of the row dwelling facades, the applicant desired to utilize.

14. In response to a request from the Board to clarify the issue, the Church stated that, if outside funding can be obtained under the Historic Preservation Grant program, the Church would endeavor to preserve and restore the two facades of the row houses on the Constitution Avenue Frontage but if funds are not made available those facades would be demolished, because of the great cost involved in preserving them.

15. The Municipal Planning Office, by memorandum dated June 15, 1978, and by testimony at the hearing, recommended that the application be granted. The MPO reported that the granting of the lot occupancy variance will not adversely affect neighboring properties and will not result in over intensification of this triangular corner lot which is bounded by two arterial avenues and a public park, that a variance from the closed court requirement will not adversely limit light and air, that the granting of the variance to waive the one required parking space would not result in any adverse traffic or on-street congestion which might adversely affect nearby or adjoining properties, and that the proposed addition to the Brown Memorial AME Church is exceptionally sensitive to the character of the area. The MPO reported that the scale and design of the addition is in keeping with the scale and design of nearby existing row dwellings. The MPO stated that

the granting of this application will not result in any unduly objectionable impacts on neighboring property and would be in keeping with the spirit and intent of the Zoning Regulations. The Board so finds.

16. The Capitol Hill Restoration Society, Inc. took no position on the application.

17. Advisory Neighborhood Commission 6A was informed of the application but offered no recommendation.

18. There was no opposition to the case.

CONCLUSIONS OF LAW AND OPINION

The applicant is seeking area variances, the granting of which requires a showing of practical difficulty. The Board concludes that the unusual triangular shape of the property when combined with the desire to create an addition which conformed to the character and shape of the existing rowhouses on and adjacent to the property creates such a difficulty. The Board further concludes that, the requirement for an off-street parking space for the caretaker's apartment would be extremely difficult to fulfill given the size and arrangement of the lots and the lack of an alley. The Board concludes that the proposed addition which incorporates the retention of the existing facades, would be most in keeping with the character of the area, and would be in the best interests of the overall general welfare and the public good.


The Board concludes that the proposed application can be granted without substantial detriment to the public good and without substantially impairing the intent purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. Accordingly, it is ordered that the application is granted subject to the condition that the facades of the houses fronting on Constitution Avenue

N.E. be preserved and retained as part of the new construction.

VOTE: 3-0 (William F. McIntosh, Leonard L. McCants to grant, Walter B. Lewis to grant by proxy, Chloethiel Woodard Smith and Charles R. Norris not voting, not having heard the case.

FINAL DATE OF ORDER: 29 AUG 1978

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.